

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NYLES LAWAYNE WATSON,

Petitioner,

No. CIV S-03-1150 LKK EFB P

vs.

TOM CAREY, Warden,


Respondent.

ORDER

While it is unclear, it may be that the petitioner is challenging the increase in sentencing he suffered, which may be in violation of Cunningham v. California, –U.S.–, 2007 WL 135687.

Accordingly, the matter is referred back to the Magistrate Judge for consideration as to whether what effect, if any, Cunningham has on petitioner's claim.

DATED: January 26, 2007.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT